

Jane C. Mariani, SBN 313666
Law Office of Jane C. Mariani
584 Castro Street, #687
San Francisco, CA 94114
mariani.advocacy@gmail.com
(415) 203-2453

Attorney for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

HARRY J. BEIER, an individual, JOHN R.
SCHOLZ, an individual, KEVIN E. BYBEE,
an individual; and SALLY DILL, an
individual.

on behalf of themselves and all others
similarly situated;

Plaintiffs,

vs.

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, a labor organization;
TEAMSTERS SFO LOCAL 856/986, a
labor organization; JAMES HOFFA, in his
official capacity as INTERNATIONAL
BROTHERHOOD OF TEAMSTERS
President and Representative; PETER FINN,
in his official capacity as TEAMSTERS SFO
LOCAL 856/986 Principal Officer; UNITED
AIRLINES, INC., a Delaware corporation;
and UNITED CONTINENTAL
HOLDINGS, INC., a Delaware corporation;
Defendants.

Case No.: 3:18-cv-006632-JD

**STIPULATED REQUEST
REGARDING PLAINTIFFS'
OPPOSITIONS TO DEFENDANTS'
MOTIONS TO DISMISS;
PROPOSED ORDER**

Date: July 25, 2019

Time: 10:00 a.m.

Place: Courtroom 11, 19th Floor

Judge: Hon. James Donato

1 Pursuant to Northern District of California Civil Local Rule 6-2 and 7-12, all of the parties
2 in the above-captioned matter hereby request this Court allow Plaintiffs to conform to the Court's
3 rules their two recently filed Oppositions to Defendants' Motions to Dismiss Plaintiffs' First
4 Amended Complaint filed June 17, 2019 (Dkt. No. 49, 50), such that Plaintiffs be allowed to file
5 and have this Court accept Plaintiffs' Amended Oppositions to Defendants' Motions to Dismiss
6 attached hereto. While Plaintiffs' original documents conform with the page limit set forth in
7 Civil Local Rules for the Northern District of California 7-3, Plaintiffs' documents do not
8 conform with the presiding judge's standing orders. Accordingly, all defendants shall have until
9 July 8, 2019 to reply to Plaintiffs' Amended Oppositions, with the presently scheduled hearing
10 date of July 25, 2019, remaining the same. Good cause for this stipulated request is established
11 by the following:
12

13
14 1. Civil Local Rule 7-3, pursuant to Civil Local Rule 7-4(b), authorizes a memorandum in
15 opposition to a motion up to a 25-page limit, unless the court expressly orders otherwise.
16 Plaintiffs' counsel neither sought nor received any such authority to exceed this page limit.
17

18 2. Plaintiffs filed two responses, each response in Opposition to Motion to Dismiss filed by
19 the separate Defendants. Dkt. No. 49, 50. Each was longer than 15-pages.
20

21 3. This Court's standing orders limit opposition motion papers to a maximum page limit of
22 15-pages. It was an oversight by Plaintiffs' counsel in drafting and filing the papers to not so
23 conform Plaintiffs' papers to this rule for which Plaintiffs' counsel is deeply remorseful and
24 embarrassed.
25

26 4. Upon learning of the mistake, Plaintiffs' counsel contacted opposing counsel to so inform
27 them of Plaintiffs' counsel's error and work to remedy the same.
28

5. The parties agreed Plaintiffs' counsel will file properly conformed papers by June 21, 2019. In recognition of the burden unintendedly placed on opposing counsel, the parties have agreed to extend the deadline for all Defendants to reply to Plaintiffs' conformed papers to July 8, 2019. The parties wish to keep the hearing date the same, July 25, 2019, if such date is still agreeable with this Court in light of the circumstances.

6. The parties agree no prejudice occurs by grant of this stipulation nor should this cause any undue delay.

Dated: June 21, 2019

Respectfully submitted,

JANE C. MARIANI
Law Offices of Jane C. Mariani

By: /s/ Jane C. Mariani
JANE C. MARIANI

Counsel for Plaintiffs Harry J. Beier, et al.

CHRIS A. HOLLINGER
ROBERT A. SIEGEL
O'Melveny & Myers LLP

By: /s/ Chris A. Hollinger
CHRIS A. HOLLINGER

*Counsel for Defendants United Airlines, Inc.
and United Continental Holdings, Inc.*

ANDREW H. BAKER
SUSAN K. GAREA
Beeson Tayer & Bodine

By: /s/ Susan K. Garea
SUSAN K. GAREA

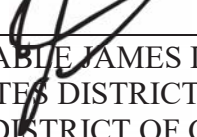
*Counsel for Defendants International
Brotherhood of Teamsters, Teamsters Local
856, Teamsters Local 986, James Hoffa and
Peter Finn*

ORDER

Pursuant to stipulation, and for good cause shown, the court hereby **GRANTS** the Request in accordance with the parties' stipulation.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 28, 2019

By: 
THE HONORABLE JAMES DONATO
UNITED STATES DISTRICT JUDGE,
NORTHERN DISTRICT OF CALIFORNIA